

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Laws Governing Aquatic Nuisance Species

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §13001, sub-§6, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

6. Aquatic plant. "Aquatic plant" means a ~~vaseular~~ plant species that requires a permanently flooded freshwater habitat.

Sec. 2. 38 MRSA §410-N, sub-§1, ¶A, as enacted by PL 1999, c. 722, §1, is amended to read:

A. "Aquatic plant" means a ~~vaseular~~ plant species that requires a permanently flooded freshwater habitat.

Sec. 3. 38 MRSA §1871, sub-§2, as enacted by PL 2001, c. 434, Pt. B, §2, is amended to read:

2. Terms. Members appointed by the Governor serve 4-year terms, except that, as determined by the Governor, of the initial appointments, 4 must be for 3 years, including the public member, and 4 must be for 2 years. Members serve until their successors are appointed. A vacancy must be filled for the remainder of the unexpired term. If after 6 months of a vacancy on the task force in a position listed in subsection 1, paragraph B the Governor cannot fill that vacancy, the Governor may appoint a member who does not meet the qualifications of subsection 1, paragraph B.

Sec. 4. Report. The Department of Inland Fisheries and Wildlife in consultation with the Department of Environmental Protection shall examine issues related to the control of invasive aquatic species, including but not limited to the use of felt-soled waders and the spread of invasive aquatic species, and report to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2012. The report may include any recommendations concerning legislation. The Joint Standing Committee on Inland Fisheries and Wildlife may report out legislation related to the subject of this report to the Second Regular Session of the 125th Legislature.

SUMMARY

This bill broadens the definition of "aquatic plant" in the laws governing the control of aquatic nuisance species. It also provides that a vacancy of a public position on the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species may be filled by a person who does not represent a particular constituency if after 6 months of a vacancy on the task force the Governor cannot fill that vacancy. It requires the Department of Inland Fisheries and Wildlife, in consultation with the Department of Environmental Protection, to report to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2012 concerning issues related to the control of invasive aquatic species, including but not limited to the use of felt-soled waders and the spread of invasive aquatic species.